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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,014	04/28/2005	Thomas Bosselmann	2002P12570W0US	1667
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SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPARTMENT 170 WOOD AVENUE SOUTH ISELIN, NJ 08830			EXAMINER VALONE, THOMAS F	
			ART UNIT 2858	PAPER NUMBER
			MAIL DATE 01/11/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/533,014

Applicant(s)

BOSELMMANN ET AL.

Examiner

Thomas F. Valone

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-25 and 27-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-25 and 27-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 21-25, 27-36 and 41 are rejected under 35 U.S.C. 103(a) as being obvious over Ding (4,804,905) in view of Strangman (5,514,482).

Regarding claims 21-23, 30, 32, 33 and 41, Ding teaches a rotor blade measuring element for electric charge distribution (Fig. 3-5 and col. 4, line 5-15) arranged near the row of rotor blades (col. 3, line 5-30), an electrically connection to a reference potential for the blades (Fig. 5) and teaches a frequency range that is at least in the kilohertz band (col. 2, line 26) as in claims 21, 23, 32, 41. Ding further teaches the deviation from a threshold responsive to a location of the rotor blades arranged on a rotor shaft (Fig. 2), relative to the outlet of the engine (col. 5, line 40). Ding includes a description of the radial disposition of a measuring element (col. 5, line 45-50). Ding further teaches a steady state or transient measurement (col. 5, line 14-35). For the deviation from a threshold, in light of the specification, the "amplitude height" in the time domain or the frequency domain (instant disclosure, p. 3, par. 9) is the sole measure of quality of the electric field generated by the blade or vane charges and the definable threshold, which is the same teaching of Ding (col. 3, line 9 and Fig. 2), as in claims 21,

22, 23, 32, 41. Ding also designates the variation of the magnitude of the signal according to the amplitude height or magnitude of the other blades (col. 5, line 37-40) or vanes (col. 8, line 36 and Fig. 1a) performing the same function and intended use as in claims 22 and 33. For a threshold responsive to a location of the rotor blades or the guide vanes relative to an outlet of the turbo engine, Ding teaches a monitoring unit using signals from the pressure, temperature and speed measurements outlet load condition of the engine (col. 7, line 45-55) to compare to a deviation from a threshold location, comparing the signal from one blade to the signals from other blades, which determines how the signal deviates (col. 8, line 56-65).

Ding does not teach electrically conducting blades having an electrically insulating surface coating.

Strangman teaches a plurality of turbine rotor blades and vanes (22, 24, Fig. 3, abstract and col. 5, line 67) made of an electrically conducting material (metal, col. 2, lines 5-10) having an electrically insulating coating surface (ceramic zirconia, col. 6, lines 1-30) as in claim 30, arranged on a rotor shaft (20, Fig. 3) that is rotatably mounted in a housing. It is well known to one of ordinary skill that good thermal insulators, such as zirconia, will also have good electrical insulative properties, since they are similar effects, which is confirmed by any standard handbook for electrical engineers.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included Strangman's plurality of metal rotor blades that are electrically insulated in Ding's turbo engine measuring and monitoring system, for the benefit of increased charge retention for a maximized sensor performance as well

as improved thermal insulating effects that provide higher strength and increased temperature range, as suggested by Strangman (col. 8, line 11-20 and col. 6, line 10-20).

Regarding claim 24, Ding uses an improved coaxial antenna which has an extra coaxial layer (col. 6, lines 23-55).

Regarding claims 25 and 27, at least one of the measuring elements of Ding are connected to a measuring unit (col. 4, lines 39-42 and Fig. 3-4) connected to a control center (computer 10, col. 5, line 8).

Regarding claim 28, measuring, monitoring and control center inherently comprises a signaling device (electric control unit 56, col. 7, lines 45-53 and Fig. 9).

Regarding claim 31, Ding's turbine engine is a gas turbine as well (col. 7, lines 15-20).

Regarding claim 34, Ding teaches the deviation is determined by a measuring (col. 5, lines 8-15) and monitoring unit (col. 6, lines 36-7 and Fig. 3) and transmitted to a control center (computer 36, col. 5, line 14).

3. Claims 29, 35, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ding and Strangman (D-S) as applied to claims 21, 32 and 41 above, and further in view of Deegan of record.

Regarding claims 29, 35 and 36, the teachings of D-S are reviewed above.

D-S does not include the aspect of does not include the aspect of an alarm output or engine shut down by a monitoring unit when a threshold value is exceeded.

Deegan, from the same field of specialty, teaches the shutting down of the turbine engine by the monitoring unit (Fig. 1A) when a definable threshold value is exceeded (col. 4, lines 12-14), as in claim 29. Deegan further teaches the shutting down of the turbine engine by the monitoring unit (Fig. 1A) when a definable threshold value is exceeded (col. 4, lines 12-14), as in claim 36, and also the concept of registering an alert (col. 3, line 22), which is inherently an alarm, as in claim 35.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included Deegan's teachings of an alarm and shut down by the monitoring unit in the invention of D-S, for the benefit of preventing catastrophic failure and costly damage of the turbine engine when a threshold value is exceeded, as suggested by Deegan (col. 1, line 22).

4. Claims 37 - 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ding, Strangman and Deegan (D-S-D), further in view of IEEE Interharmonic Task Force of record.

The teachings of D-S-D are reviewed above. Deegan further teaches the use of a measurement signal processor which performs a spectrum analysis transformation with the product of this analysis passed onto a display device (col. 3, lines 19-20), as in claim 39, and compared to a definable threshold value (predetermined level, col. 4, line 14), as in claim 40.

D-S-D does not include a signal transformation by a Fourier transform (FFT) where it is displayed and/or signaled and compared with a definable threshold value

and does not explicitly address a Fourier transformation (FFT), though it is inherent to spectrum analysis.

The IEEE Interharmonic Task Force, which refers to its work with turbine engines (p. 3, 2nd col., line 21) does include spectrum analysis (Figure 5) and the connection between such analysis and the Fast Fourier Transformation (p. 5, 2nd col., par. 4), as in claims 37 and 38.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included FFT spectrum analysis, as taught by the IEEE Interharmonic Task Force, of the signal from a measuring element of D-S-D, for the benefit of preventing catastrophic failure by filtering a specific frequency and setting an alarm when that frequency component exceeds a predetermined threshold value, as suggested by Deegan (col. 1, line 22).

Response to Arguments

5. Applicant's arguments, filed 10/10/07, with respect to the rejection under 35 USC 112 have been fully considered regarding the issue of identifying which blade and ring have been damaged and are persuasive. Therefore, the rejection of claims 21, 32, 41 has been withdrawn. Acknowledgement is also made for the amendment to the claims for which the objection to the claims has been withdrawn. Acknowledgement is made for the statement of common assignee/ownership exemption under 35 USC 103(c) and therefore the rejection applying the primary reference Harrold has been withdrawn.

6. The arguments center around claim 21 and the difference between the frequency domain and the time domain. The examiner appreciates the difference in analysis

regarding the kilohertz frequency that is claimed. The claim is amended and new grounds of rejection have been applied after further consideration.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bosselman '776, Bosselman '221, Sabol, Markham, Twerdochlib teach turbo blade wear monitoring systems; Giles and LeSech teaches a thermal barrier coating for turbo blades.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas F. Valone whose telephone number is 571-272-8896. The examiner can normally be reached on 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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